

Amendments to the Drawings

Please replace the existing drawings with the attached replacement formal drawings Figures 1-10.

REMARKS

Claims presented for prosecution in this Application are claims 12-16 and 20-21, claims 1, 2-11 and 17-19 being canceled by the present amendment. Claim 1 has been rejected over cited prior art. Claims 12-16 have been objected to as containing allowable subject matter, yet containing formalistic problems, while claims 20 and 21 have been allowed. In view of Applicants' remarks below, Applicants respectfully submit that claims 12-16 and 20-21 are in condition for allowance. Accordingly, Applicants respectfully request that the present Response be considered and entered, the rejections to the claims be withdrawn, and that the case now be passed to issue.

General Comments

Applicants' Representative wishes to thank the Examiner for the courtesies extended during the recent telephonic conference.

In response to the Examiner's helpful suggestions, Applicants have amended the drawings to now clearly illustrate the 'ductwork' recited in the claims; as well as amending the claims in conformance with the Examiner's suggestions in order to address the Examiner's concerns in this regard.

The Objection to the Drawings

The drawings have been objected on formal grounds. In response, Applicants note the following:

- 1) Figure 4 has been amended to correctly identify the structures indicated by numerals 108 and 116;
- 2) The drawings (in particular, Figure 4) has now been amended to clearly show the 'ductwork' enclosure 111, as well as clearly showing the 'interior' of the ductwork, noted as numeral 109; and
- 3) New formal replacement drawing sheets are submitted herewith to replace the existing drawings currently on file.

Applicants have also amended the specification to provide numerals 111 and 109 to the *duct* and the *interior* of the duct, respectively (now explicitly illustrated in Figure 4), as recited in the application as originally filed.

In light of the above, Applicants respectfully request withdrawal of the objection to the drawings.

The Objection to the Specification

The Examiner has objected to the specification as lacking proper antecedent support for the claimed subject matter. Applicants respectfully traverse this objection.

As recited in lines 4-6 of paragraph 31: "The plane of the second fold 112 is then broken in the area adjacent *the break point 114 of the first fold 110, ...*" (emphasis added).

Applicants therefore respectfully submit that this recitation, in combination with a review of the associated drawing figures, clearly provides proper antecedent basis for claim 12's recitation of: "a first fold which is bent at a break point". That is, lines 4-6 of paragraph 31 as originally filed clearly recite both the 'first fold' as well as the 'break point', while drawing figures 2-4 (which are part of the specification) clearly illustrates the first fold 110 being broken "in the area adjacent the break point 114".

The Examiner has also objected to line 1 of page 9, and in response, Applicants have amended line 1 of page 9 in conformance with the Examiner's suggestion (inserting numeral 220 for numeral 206).

In light of the above clarifying amendments and explanations, Applicants respectfully request withdrawal of the existing objection to the specification.

The 35 USC 112 Second Paragraph Rejection of Claims 1 and 12-15

The Examiner has rejected claims 1 and 12-15 as being indefinite, questioning whether Applicants are claiming *both* the seam and the ductwork, or *only* the seam

itself. The Examiner has stated that consideration of only the seam was considered during examination, and Applicants agree that this was the intended purpose.

After discussing this issue with the Examiner, Applicants have amended claim and 12 (claim 1 being canceled) in order to clearly and distinctly recite only the 'seam' itself, stating that the seam was "*for use in sealing*" ductwork, thereby not claiming the ductwork *per se*.

Applicants respectfully submit that further reference within claims 1 and 12 to 'said ductwork' merely provides context to the claims, and should not be interpreted as positively reciting the ductwork as a combined element. *Should the Examiner believe that the phrase "said ductwork" should be removed completely from the body of claim 12, Applicants' Representative respectfully requests that the Examiner contact Applicants' Representative to effectuate an Examiner's Amendment, or the like, to place the claims in condition for allowance.*

Lastly, Applicants have amended claim 12 to provide proper antecedent basis for the terms utilized therein.

In light of the amendment to claim 12, Applicants respectfully request that the outstanding 35 USC 112 second paragraph rejection of claims 1 and 12-15 now be withdrawn.

The 35 USC 102(b) Rejection of Claim 1 over Van Huffel

The Examiner has rejected claims 1 as being anticipated by Van Huffel. In response, Applicants respectfully assert that Van Huffel does not disclose, at least, each and every aspect of newly amended independent claim 1.

With conceding to the validity of the outstanding rejection, and merely in an effort to advance prosecution, Applicants have canceled claim 1.

Applicants therefore believe the outstanding rejection of claim 1 to be moot, and respectfully request that the outstanding rejection be withdrawn.

CONCLUSION

In view of the remarks above, it is respectfully submitted that claims 12-16 and 20-21 are allowable, and an early action to that effect is earnestly solicited.

Applicants submit that the present Amendment After Final is responsive to each of the points raised by the Examiner and contains no new matter. Further, Applicants believe that the present Amendment is merely formal in nature, is in accordance with the Examiner's suggestions, reduces the number of issues under consideration and places the case in condition for allowance. Applicants believe the present Amendment was necessitated by the outstanding Final Office Action and submits that the present amendments to the claims were not previously made as the prior claims were believed to be allowable over the cited prior art.

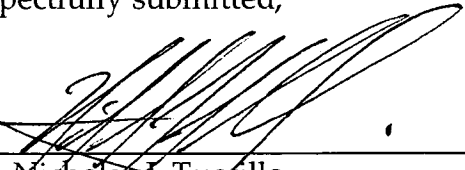
Applicants therefore respectfully request that the present Amendment After Final be entered under 37 CFR § 1.116 and the case be passed to issue.

The Examiner is invited to contact the undersigned at the number below to expedite resolution of any issues that the Examiner may consider to remain unresolved. In particular, should a Notice of Allowance not be forthcoming, the Examiner is requested to phone the undersigned for a telephonic interview, an Examiner's Amendment, or the like, while the outstanding issues are fresh in the mind of the Examiner.

It is believed that no fees or deficiencies in fees are owed. However, authorization is hereby given to charge our Deposit Account No. 13-0235 in the event any fees are owed.

Respectfully submitted,

By



Nicholas J. Tuccillo
Registration No. 44,322
Attorney for Applicant

McCORMICK, PAULDING & HUBER LLP
CityPlace II, 185 Asylum Street
Hartford, CT 06103-4102
Tel.: (860) 549-5290
Fax: (413) 733-4543